

## **REMARKS**

Claims 7-12 are pending in the present application. Claims 7 and 8 have been amended. All of the pending claims stand rejected. The Applicant respectfully requests reconsideration of the rejections of these claims in light of the following remarks.

Claims 7 and 8 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In particular, the Office Action appears to assert that it is not clear from these claims why the “network address being stored in a memory of the mobile equipment assists in handling a call intended for the communication terminal apparatus but directed to a communication system via which the communication terminal apparatus cannot be reached.” The Applicant notes that the quoted elements in the present Office Action are a combination of those found in claim 7 and 8 but not each of the claims separately. The Applicant respectfully traverses this rejection based on the following reasons.

First, the rejection of claims 7 and 8 appears to assert that it is not clear why the network address that is stored in a memory of the communication terminal is used “for assisting and handling a call intended for the communication terminal apparatus but directed to a communication system by which a communication terminal apparatus cannot currently be reached” as found in claim 7 or “for influencing an activation/deactivation condition related to another communication system not having a select base station upon a call being made to the communication terminal apparatus but directed to the communication system not having the selected base station” as featured in claim 8. In response to this assertion, the Applicant submits that these claims are definite under 35 U.S.C. §112, second paragraph since the claims particularly point out indistinctly claim subject matter of the present disclosure. That is, the claims do not differ from the specification, which provides that the control network address, not merely the network address itself, is used to assist in handling a call intended for the communication terminal apparatus but directed to a communication system that the terminal apparatus is not currently logged on to or influencing in activation/deactivation condition related to another communication system not having the selected base station upon a call being made to the communication terminal apparatus but directed to the communication not having the selected base station. As taught in the specification, examples of what is used for the control network address include the performance feature controller LMSC and the performance feature controller

LS2. See page 7, lines 17-26 of the present application. Thus, this information can be used for assistance in handling calls and also be stored in a memory of the communication apparatus. Accordingly, the Applicant respectfully requests that the rejection of claims 7 and 8 under Section 112, second paragraph be withdrawn.

Claims 7-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ault et al. (U.S. Patent No. 5,745,542) in view of Nishida (U.S. Patent No. 5,995,828). The Applicant respectfully traverses this rejection for the following reasons.

The Office Action asserts that Ault discloses the elements of claims 7 and 8 except for the element "wherein the network address communicated to the control network address stored in the memory is used for assisting in handling a call intended for the communication terminal apparatus but directed to a communication system via which the communication terminal apparatus cannot currently be reached." The Office Action then asserts that Nishida teaches a method where communication system moves from one network to another, wherein network addresses are used for identifying each network. The Office Action then asserts that it would have been obvious to one of ordinary skill in the art to provide the teachings of Nishida with Ault in order to enable a user to establish communication between different networks. The Applicant respectfully disagrees.

First with respect to claim 8, the Office Action does not specifically address the actual elements of this claim. Nonetheless, the Applicant presumes that the Office Action is asserting that the particular claim elements are nonetheless unpatentable over Ault in view of Nishida.

Specifically with respect to claim 7, the Applicant respectfully submits that Ault does not teach or suggest all of the elements for which it is relied upon. Specifically, Ault does not teach or suggest a control means for allocating a network address to a recognized communication system under which the communication terminal apparatus can currently be reached and communicating the network address via a selected base station of the recognized communication system to a control network address stored in a memory of the communication terminal apparatus, wherein the network address communicated to the control network address stored in the memory is used for assisting and handling a call intended for the communication terminal apparatus directed to a communication system by which the communication terminal apparatus cannot currently be reached. The user preferences stored in a nonvolatile memory of Ault are not comparable with the featured network address and the control network address in claim 7.

As argued in the previously filed amendment of June 19, 2002, the system preferences of Ault are simply a set of expressed user preferences stored in a memory. This system preferences merely refer to communications attributes which the particular user would select. Moreover, the user preferences stored in the nonvolatile memory are not at all used for assisting in handling a call intended for the communication terminal apparatus, but directed to another communication system via which the communication terminal apparatus cannot currently be reached.

Additionally, Nishida does not provide teaching or suggestion of the claim elements missing from the teachings or suggestions of Ault. Nishida teaches a portable phone to receive an incoming call whenever the call is designated to the telephone number of that portable phone registered in a public radio base station even if the phone is in a private communication zone out of the public communication zone of its subscribing public radio telephone services or if the mode of the phone is switched to a private mode dedicated to the private radio telephone service which does not monitor an incoming call notifying channel. In order to accomplish this function, Nishida teaches that the phone system, which comprises a first radio base station connected to a telephone network for executing radio communication with a portable handy phone existing in a first radio communication zone and a second radio base station connected to the telephone network for executing radio communication with the portable phone existing in a second radio communication zone different from the first radio communication zone. The first and second radio base stations additionally include a radio interface section for executing radio communication with the portable phone and a interface section for communication between two radio based stations. In order to afford the portable phone the function of receiving an incoming call whenever the call is designated to the telephone number of the portable phone, telephone number is transmitted from the first radio base station to the second radio base station. In contrast, claim 7 features a control means configured to allocate a network address to the recognized communication system under which the communication terminal apparatus can currently be reached and to communicate the network address via a selected base station to a control network address stored in a memory of the communication terminal apparatus. Thus, there is no system to system interface sections or a need for such interface in the apparatus of claim 7. Accordingly, Nishida does not further teach or suggest the features of claim 7.

With respect to claim 8, the cited prior art does not teach or suggest the featured control means for allocating a network address to the recognized communication system under which the

communication terminal apparatus can currently be reached and communicating control information via the selected base station to a control network address stored in the memory of the communication apparatus, for the reasons discussed above. Additionally, neither of the cited prior art references used to reject claim 8 teach or suggest a control network address stored in the memory of the communication apparatus that influences an activation/deactivation condition related to another communication system not having a selected base station upon a call being made to a communication terminal apparatus but directed to the communication system not having the selected base station.

In light of the foregoing comments, the Applicant respectfully submits that the cited references do not teach or suggest the features of claims 7 and 8 and the rejection of these claims should be withdrawn, accordingly.

With respect to claims 9-12, the Applicant submits that these claims are allowable at least by virtue of their dependency on claim 8.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the claims:**

Please amend claims 7 and 8 as follows:

7. (Twice Amended) A dual-mode communication terminal apparatus for wireless communication with a selected base station of one of at least two different communication systems, the communication terminal apparatus being logged on as ready to receive from the selected base station, the communication terminal apparatus comprising:

recognition means for recognizing one of the at least two communication systems, the recognized communication system having the selected base station; and

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control means [for allocating] configured to allocate a network address to the recognized communication system under which the communication terminal apparatus can currently be reached and [communicating] to communicate the network address via the selected base station to a control network address stored in a memory of the communication terminal apparatus;

wherein the network address communicated to the control network address stored in the memory is used for assisting in handling a call intended for the communication terminal apparatus but directed to a communication system via which the communication terminal apparatus cannot currently be reached.

8. (Amended) A dual-mode communication terminal apparatus for wireless communication with a selected base station of one of at least two different communication systems, the communication terminal apparatus being logged on as ready to receive from the selected base station, the communication terminal apparatus comprising:

recognition means for recognizing one of the at least two communication systems, the recognized communication system having the selected base station; and

control means for allocating a network address to the recognized communication system under which the communication terminal apparatus can currently be reached and communicating control information via the selected base station to a control network address stored in a memory of the communication apparatus for influencing an activation/deactivation condition related to

another communication system not having the selected base station upon a call being made to the communication terminal apparatus but directed to the communication system not having the selected base station[, the control network address being stored in a memory].